

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA

Cynthia L. Jenkins, Sandra Logue, and )  
Ada Howard, On Behalf of Themselves ) Case No. 8:06-CV-743  
and All Others Similarly Situated, )  
)  
Plaintiffs, ) STIPULATION FOR  
) ORDER FOLLOWING  
vs. ) SETTLEMENT  
)  
General Collection Co., Mark D. Stelk, & )  
Richard E. Gee, )  
)  
Defendants. )

The parties to this action by their respective counsel hereby stipulate as follows:

1. That the parties have reached a compromise resolution of all disputed claims in this lawsuit, except for Plaintiffs' claims for attorneys' fees and costs. The specific settlement terms are set forth in a separate document executed by all parties is attached hereto. Defendants do not admit any liability, and all liability is denied.
2. That by agreement of the parties the Plaintiffs shall move for their reasonable attorneys' fees and costs as provided for under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (FDCPA), pursuant to 15 U.S.C. § 1692k(a)(3), and the Nebraska Consumer Protection Act, Neb. Rev. Stat. § 59-

1601 et seq. (NCPA). Plaintiffs' motion shall be submitted as outlined by the procedures set forth in Fed.R.Civ.P. 54(d) within thirty (30) days of the court's entry of an order approving this stipulation.

3. In the event any court finds that the terms of the settlement agreement attached hereto are an insufficient basis for the award of Plaintiffs' attorneys' fees and costs, the parties agree that the Plaintiffs may enforce only the award of fees in a court of competent jurisdiction, or at Plaintiffs' option, may declare that no settlement has been reached and resume litigation in federal court.

4. For purposes of Plaintiffs' motion for attorneys' fees and costs, Defendants will not raise as a defense to the motion, or on appeal of the district court order awarding attorneys' fees and costs, any argument that Plaintiffs are not "prevailing parties" under the FDCPA and the NCPA in this lawsuit.

Dated this \_\_\_\_ day of April 2009.

Cynthia L. Jenkins, Sandra Logue and  
Ada Howard, On Behalf of Themselves and  
All Others Similarly Situated, Plaintiffs,

By: 

William L. Reinbrecht, #20138

Pamela A. Car, #18770

Car & Reinbrecht, P.C., LLO

8720 Frederick Street, Suite 105

Omaha, NE 68124

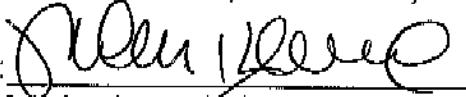
1 (402) 391-8484

1 (402) 391-1103 - Fax  
E-mail: [pacwlr@carthlink.net](mailto:pacwlr@carthlink.net)

O. Randolph Bragg  
Craig M. Shapiro  
Horwitz, Horwitz & Associates  
25 East Washington Street, Suite 900  
Chicago, IL 60602  
1 (312) 372-8822  
1 (312) 372-1673 - Fax

Charles M. Delbaum  
National Consumer Law Center  
77 Summer Street, 10<sup>th</sup> Floor  
Boston, MA 02110-1006  
1 (617) 542-8010  
1 (617) 542-8028 - Fax  
**Attorneys for the Plaintiffs**

General Collection Co., Mark D. Stelk, &  
Richard E. Gee, Defendants,

By:   
Michael A. Klutho  
Christopher R. Morris  
BASSFORD REMELE  
33 South Sixth Street, Suite 3800  
Minneapolis, MN 55402-3707  
1 612 333-3000

John A. Svoboda  
GROSS & WELCH, P.C., LLO  
1500 Omaha Tower  
2120 South 72<sup>nd</sup> Street  
Omaha, NE 68124  
1 402 392-1500  
**Attorneys for Defendants General**

**Collection Co. and Mark D. Stelk**

By:



Galen E. Stehlak

Lauritsen, Brownell, Brostrom, Stehlak,  
Meyers & Daugherty, P.C., LLO  
724 W. Koenig Street  
P.O. Box 400  
Grand Island, NE 68802  
**Attorneys for Defendant Richard E. Gee**

**Certificate of Service**

I hereby certify that on July 3, 2009, I electronically filed the foregoing with the Clerk of court using the CM/ECF system which will send notification of such filing to the following:

John A. Svoboda  
GROSS & WELCH, P.C., LLO  
1500 Omaha Tower  
2120 South 72<sup>nd</sup> Street  
Omaha, NE 68124

Michael A. Klutho  
Christopher R. Morris  
BASSFORD REMELE  
33 South Sixth Street, Suite 3800  
Minneapolis, MN 55402-3707

Galen E. Stehlak  
Attorney at Law  
724 W. Koenig Street  
P.O. Box 400  
Grand Island, NE 68802

And I hereby certify that I have mailed by United States Postal Service the

document to the following non CM/ECF participants: None.

William L. Reinbrecht

William L. Reinbrecht, #20138  
Car & Reinbrecht, P.C., LLO  
8720 Frederick Street, #105  
Omaha, NE 68124  
(402) 391-8484  
Fax: (402) 391-1103  
E-mail: pacwlr@earthlink.net